

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TOMMY THOMPSON,)
Plaintiff,)
v.) Case No. CIV-23-940-D
STATE OF OKLAHOMA, *et al.*,)
Defendants.)

ORDER

Upon review of the file and noting no timely objection to the findings and recommendation of United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1), the Court adopts the Report and Recommendation [Doc. No. 8] in its entirety.

For the reasons stated therein, this action is **DISMISSED WITHOUT PREJUDICE** to refiling. Further, the Board of County Commissioners' Motion to Dismiss [Doc. No. 3] is **DENIED** as moot.

A separate judgment shall be entered accordingly.

IT IS SO ORDERED this 20th day of November, 2023.

Wiley Q. Wright

TIMOTHY D. DeGIUSTI
Chief United States District Judge